<u>REMARKS/ARGUMENTS</u>

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-25 are presently pending in this case.

In the outstanding Official Action, Claims 1-6, 9-14, 17-22, and 25 were rejected under 35 U.S.C. §102(b) as anticipated by <u>Wendt</u> (U.S. Patent Application Publication No. 20020090109); and Claims 7, 8, 15, 16, 23, and 24 were rejected under 35 U.S.C. §103(a) as unpatentable over <u>Wendt</u> in view of <u>Oosawa</u> (U.S. Patent Application Publication No. 20030039405).

With regard to the rejection of Claims 1, 9, 17, and 25 as anticipated by <u>Wendt</u>, that rejection is respectfully traversed.

Claim 1 recites in part:

> a correction information generating means for performing a Fourier transform and a log-polar coordinate transform to said first image and said second image and generating correction information of said first image based on the results of said Fourier transform and log-polar coordinate transform; and
> a matching means for performing processing of correction of said first image based on said correction information generated by said correction information generating means to generate a corrected first image, performing a correlation comparison between said corrected first image and said second image, and determining if the corrected first image matches the second image based on results of said correlation processing.

<u>Wendt</u> describes a watermark detection method in which a watermark may be corrected before information is read therefrom.[1] The watermark includes a first preselected pattern of data *and* a second preselected pattern of data on the same frame or frames as the first preselected pattern of data.[2] The outstanding Office Action cited paragraphs 22-27 of

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[1]See <u>Wendt</u>, paragraph 13.
[2]See <u>Wendt</u>, paragraph 14.

Wendt as describing "a matching means" as recited in Claim 1.[3] However, it is respectfully submitted that paragraph 23 of Wendt describes that an actual (i.e. uncorrected) watermark in digital content is compared to reference information, a deviation from the reference information is calculated, and the information included in a watermark is read using the calculated deviation information. Thus, it is respectfully submitted that Wendt does not teach that the calculated deviation information is used to create a corrected watermark, *and that the corrected watermark is compared to any other reference.*

In response to this argument, the outstanding Office Action asserts that paragraph 27 of Wendt describes "what the matching means are match against." However, the only comparison described in paragraph 27 of Wendt is step (2), which describes a comparison between an actual and reference pattern to determine a rotation angle or resizing factor. As this rotation angle or resizing factor is cited as "correction information,"[4] this comparison cannot be a comparison using "a corrected first image," as the "correction information" has not been generated yet. Therefore, Wendt does not describe determining if the *corrected first image* matches the second image based on results of correlation processing.

Further, once Wendt determines the deviation information based on the first preselected pattern of data, the second pattern of preselected data is simply read using the deviation information. Thus, Wendt does not describe any means for performing a correlation comparison between a *corrected first image* and a second image, or means for determining if a *corrected first image* matches a second image based on results of correlation processing.

In response to this particular argument, the outstanding Office Action cites paragraph 13 of Wendt as disclosing "first and second images."[5] However, as noted above, the first and

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[3]See the outstanding Office Action at page 2, lines 11-17 and page 8, line 5 to page 9, line 19.
[4]See the outstanding Office Action at page 7, lines 9-11.
[5]See the outstanding Office Action at page 3, line 1 to page 5, line 2.

second preselected patterns of data are both part of the watermark of <u>Wendt</u>, and they are

never compared to each other. The first preselected pattern of data is compared to a reference

to determine the deviation information, and the deviation information is used to read the

second preselected pattern of data. Again, no part of <u>Wendt</u> performs a correlation

comparison between a *corrected first image* and a second image, or determines if a *corrected*

first image matches a second image based on results of correlation processing.

Therefore, is respectfully submitted <u>Wendt</u> does not teach "a matching means" as

defined in Claim 1. Consequently, Claim 1 (and Claims 2-8 dependent therefrom) is not

anticipated by <u>Wendt</u> and is patentable thereover.

Claims 9 and 17 recite in part:

> performing a correlation comparison of said corrected
> said first image and said second image; and
> determining if the corrected first image matches the
> second image based on-results of said correlation comparison.

As noted above, <u>Wendt</u> does not describe performing a correlation comparison

between a *corrected first image* and a second image, or determining if a *corrected first image*

matches a second image based on results of correlation processing. In this regard, the

outstanding Office Action again particularly cites paragraph 13 of <u>Wendt</u> as describing this

subject matter.[6] However, as noted above, the first and second preselected patterns of data

are both part of the watermark of <u>Wendt</u>, and they are *never* compared to each other. The

first preselected pattern of data is compared to a reference to determine the deviation

information, and the deviation information is used to read the second preselected pattern of

data. Therefore, it is respectfully submitted <u>Wendt</u> does not teach "performing a correlation

comparison" or "determining if the corrected first image matches the second image" as

defined in Claims 9 and 17. Consequently, Claims 9 and 17 (and Claims 10-16 and 18-24

dependent therefrom) are not anticipated by <u>Wendt</u> and is patentable thereover.

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[6]See the outstanding Office Action at page 5, lines 3-21.

Finally, Claim 25 recites in part:

> a correlation unit configured to perform a correlation comparison between said corrected first image and said second image; and
> a matching unit configured to determine if the corrected first image matches the second image based on results of said correlation unit.

Again, Wendt does not describe a device that performs a correlation comparison between a *corrected first image* and a second image, or that determines if a *corrected first image* matches a second image based on results of correlation processing. Therefore, is respectfully submitted Wendt does not teach "a correlation unit" or "a matching unit" as defined in Claim 25. Consequently, Claim 25 is not anticipated by Wendt and is patentable thereover.

With regard to the rejection of Claims 7, 8, 15, 16, 23, and 24 as unpatentable over Wendt in view of Oosawa, it is noted that Claims 7, 8, 15, 16, 23, and 24 are dependent from Claims 1, 9, and 17, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Oosawa does not cure any of the above-noted deficiencies of Wendt. Accordingly, it is respectfully submitted that Claims 7, 8, 15, 16, 23, and 24 are patentable over Wendt in view of Oosawa.
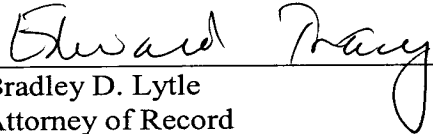
Accordingly, the pending claims are believed to be in condition for formal allowance.

An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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